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FISCAL IMPACT STATEMENT

LS 6426

BILL NUMBER: HB 1045

NOTE PREPARED: Dec 10, 2009

BILL AMENDED:

SUBJECT: Denial of Organ Procurement by Coroner.

FIRST AUTHOR: Rep. Moseley

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: Local

Summary of Legislation: This bill specifies circumstances under which a coroner may base a decision to deny procurement of a body part for transplantation.

Effective Date: July 1, 2010.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: The bill specifies that if a coroner or designee considers withholding tissue or organs of a potential donor, the coroner or designee shall base that determination on all of the following actions: (1) examination of the decedent's medical record, (2) evaluation of laboratory tests or diagnostic imaging, (3) consultation with the decedent's physician, and (4) visual inspection of the part by a pathologist or a transplant surgeon during the surgical removal of the part for donation.

Local costs would depend on a coroner's current level of participation with the organ procurement organization, and individual circumstances.

Background: Current statute provides that a coroner shall cooperate with procurement organizations to maximize the opportunity to recover anatomical gifts for the purpose of transplantation, therapy, research, or education. Coroners are also required to conduct postmortem examinations in a manner and within a compatible time period with preservation for the purpose of an anatomical gift. Current statute further

provides that if a coroner or designee of a coroner must be present at certain removal procedures or perform duties at times other than those that are usual and customary for the coroner or designee to maximize tissue or eye recovery, at the request of the coroner or designee, the procurement organization that requested the recovery of a part of a body shall reimburse the coroner or designee for the additional costs incurred by the coroner or designee. (Coroners in rural areas may not have access to full-time pathologists who would be available to determine what parts may be harvested without destroying evidence needed for the coroner's investigation, requiring additional cost for the coroner to conduct an off-hours or unscheduled procedure for the pathologist.)

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Coroners.

Information Sources:

Fiscal Analyst: Kathy Norris, 317-234-1360.